

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

SCHENKER, INC.,)	CASE NO.: C 08 4182 (VRW)
)	
Plaintiff,)	AMENDED NOTICE OF
)	SETTLEMENT AND REQUEST FOR
v.)	240-DAY CONDITIONAL DISMISSAL;
)	[PROPOSED] SECOND ORDER

MOLLICOOLZ, LLC,

Defendant.

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NOTICE OF SETTLEMENT

REQUEST FOR CONDITIONAL DISMISSAL

Dated: 20 January 2009

LAW OFFICES OF GEORGE W. NOWELL

By: /s/ John H. Cigavic III

JOHN H. CIGAVIC III
Attorneys for plaintiff
SCHENKER, INC.

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~~PROPOSED~~ SECOND ORDER

GOOD CAUSE APPEARING in plaintiff SCHENKER, INC.'s request for a 240-day conditional dismissal (240 days total, from the date of this Court's first Order of Conditional Dismissal dated November 6, 2008):

IT IS HEREBY ORDERED that this case be dismissed without prejudice; provided, however, that if any party hereto shall certify to this Court, within 240 days of November 6, 2008, on or before June 8, 2009, with proof of service of a copy thereof on opposing counsel, that the agreed consideration for said settlement has not been delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: January 23, 2009

By:



Prepared by:

Dated: 20 January 2009

By: /s/ John H. Cigavic III
JOHN H. CIGAVIC III
Attorneys for plaintiff
SCHENKER, INC.

LAW OFFICES OF GEORGE W. NOWELL
120 Montgomery Street, Suite 1990
San Francisco, CA 94104
Phone: (415) 362-1333 Fax: (415) 362-1344